

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 15 February 2001 (15.02.01)	
International application No. PCT/US00/17649	Applicant's or agent's file reference 7640/VB
International filing date (day/month/year) 27 June 2000 (27.06.00)	Priority date (day/month/year) 29 June 1999 (29.06.99)
Applicant GORDON, Neil, James	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

08 January 2001 (08.01.01)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer S. Mafra Telephone No.: (41-22) 338.83.38
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PATENT COOPERATION TREATY

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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 7640/VB	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 00/ 17649	International filing date (day/month/year) 27/06/2000	(Earliest) Priority Date (day/month/year) 29/06/1999
Applicant THE PROCTER & GAMBLE COMPANY et al.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of Invention is lacking** (see Box II).

4. With regard to the **title**,

the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.



None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/17649

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C11D3/37 C11D3/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C11D C08G

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 98 29530 A (RANDALL SHERRI LYNN ; PANANDIKER RAJAN KEESHAV (US); PROCTER & GAMB) 9 July 1998 (1998-07-09) page 6, line 3 - page 7, line 4; claim 1; examples 1-40; tables 1,2 page 13, paragraph 2 ---	1,6-8
A	DE 196 43 133 A (BASF AG) 23 April 1998 (1998-04-23) page 6, line 35 - line 45 page 7, line 15 - line 16 page 7, line 24 - line 37 claims 1-10; examples A-E example IX; table 4 --- -/--	1

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents :

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier document but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

"&" document member of the same patent family

Date of the actual completion of the international search

3 October 2000

Date of mailing of the international search report

11/10/2000

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Loiselet-Taisne, S

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 00/17649

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	DE 196 43 281 A (BASF AG) 23 April 1998 (1998-04-23) polymer 3 example 5 ---	1-3,6-10
A	EP 0 158 260 A (HENKEL KGAA) 16 October 1985 (1985-10-16) page 24, line 9 - line 11; claims 1-3,10; examples 13,15; table V ---	1,6,7
E	WO 00 49122 A (BOECKH DIETER ;BORZYK OLIVER (DE); EHLE MICHAEL (DE); HARTMAN FRED) 24 August 2000 (2000-08-24) claims 1-5,9; examples; tables ---	1,4-8
A	WO 99 14300 A (HILDEBRANDT SOREN ;BOECKH DIETER (DE); KAPPES ELISABETH (DE); GOSS) 25 March 1999 (1999-03-25) page 1, last line; claims 1,3; examples 1,2,6; table 11 ---	1-3,6-10
P,A	WO 00 22077 A (GOSSELINK EUGENE PAUL ;PANANDIKER RAJAN KESHAV (US); RANDALL SHERR) 20 April 2000 (2000-04-20) Ex#1 of table III on page 18 claims 1-9; example VIII; table III -----	1-3,7-9

INTERNATIONAL SEARCH REPORT

Information on patent family members

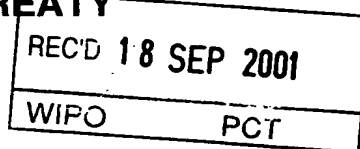
International Application No

PCT/US 00/17649

Patent document cited in search report	Publication date	Patent family member(s)	Publication date
WO 9829530 A	09-07-1998	BR 9714194 A EP 0960186 A	28-03-2000 01-12-1999
DE 19643133 A	23-04-1998	WO 9817764 A EP 0934385 A US 6083898 A	30-04-1998 11-08-1999 04-07-2000
DE 19643281 A	23-04-1998	WO 9817762 A EP 0934382 A US 6025322 A	30-04-1998 11-08-1999 15-02-2000
EP 0158260 A	16-10-1985	DE 3413292 A DE 3575161 D JP 60229999 A US 4634544 A	17-10-1985 08-02-1990 15-11-1985 06-01-1987
WO 0049122 A	24-08-2000	NONE	
WO 9914300 A	25-03-1999	AU 9389598 A AU 9389698 A AU 9389798 A AU 9389898 A EP 1015542 A EP 1015540 A EP 1015543 A EP 1017775 A WO 9914299 A WO 9914295 A WO 9914301 A US 6111056 A	05-04-1999 05-04-1999 05-04-1999 05-04-1999 05-07-2000 05-07-2000 05-07-2000 12-07-2000 25-03-1999 25-03-1999 25-03-1999 29-08-2000
WO 0022077 A	20-04-2000	AU 1101700 A AU 1200800 A AU 6411099 A WO 0022078 A WO 0022075 A AU 1200700 A WO 0022079 A	01-05-2000 01-05-2000 01-05-2000 20-04-2000 20-04-2000 01-05-2000 20-04-2000

PATENT COOPERATION TREATY

PCT



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 7640/VB	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US00/17649	International filing date (day/month/year) 27/06/2000	Priority date (day/month/year) 29/06/1999
International Patent Classification (IPC) or national classification and IPC C11D3/37		
Applicant THE PROCTER & GAMBLE COMPANY et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.


2. This REPORT consists of a total of 6 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 08/01/2001	Date of completion of this report 14.09.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Ekholm, M Telephone No. +49 89 2399 8210



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/17649

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-33 as originally filed

Claims, No.:

1-10 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/US00/17649

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes:	Claims	1-10
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-10
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-10
	No:	Claims	

2. Citations and explanations
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

V. Reasoned statement under Rule 66(2)(a)(ii) PCT (N, IS, IA)

1. Reference is made to the following documents:

D1: DE-A-19 643 281

D2: WO99/14300

2. **Novelty** (Article 33(2) PCT)

- 2.1 The application is novel since no prior art has been found that describes the subject-matter of the claims and thus no objections regarding novelty will be raised under Article 33(2) PCT.

3. **Inventive step** (Article 33(3) PCT)

- 3.1 The problem that the Applicant wishes to solve is to prepare a fabric care composition which reduces the loss of fabric color and provides enhanced fabric appearance benefits.
- 3.2 The proposed solution is to prepare a composition which comprises a water soluble modified polyamine in combination with an oligomer derived from the reaction between imidazole and epihalohydrin.
- 3.3 Document D1 relates to detergent compositions which attempt to improve the appearance and integrity benefits of the fabrics laundered therewith (cf. D1 page 1 first paragraph). The proposed solution is to use a composition which comprises cyclic amine based polymers.
- 3.4 Document D2 relates to compositions which attempt to inhibit color transfer between the fabrics being washed (cf. D2 page 1 lines 17-19). The proposed solution was to prepare a composition which comprises polycationic condensation products, preferably those which are achieved with a reaction with piperazine and/or imidazole together with epihalohydrin (cf. page 1 lines 20-60).

- 3.5 No document has been found which relates to the specific water-soluble polyamine which is specified in claim 1 of the present application. The man skilled in the art would not have any indication that the polyamines specified in the present application would, in combination with the imidazole/epihalohydrin oligomers, solve the specified problem.

The subject-matter of claims 1-10 is considered to involve an inventive step.

VIII. Certain observations on the international application (clarity)

1. There is a discrepancy between claim 2 and the description; the claim specifies that X is a water soluble anion and in the description it is specified to be a cation (see page 15) (Article 6 PCT).
2. Claim 2 lacks support of the description in that the molecular weight of the oligomers is not disclosed therein (Article 6 PCT).
3. The same objection applies mutatis mutandis to claim 9.
4. Claim 5 is not fully supported by the description in that the amounts of moles of polyalkylene polyamine and the amount by weight of the reaction product of polyalkylene oxide are not specified therein (see page 12). A further discrepancy is that the polyamine obtained is very specifically identified in the description and this is not the case in the claim (Article 6 PCT).
5. Although claims 1 and 6 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the further additives which may optionally be added to the composition. The aforementioned claims therefore lack conciseness. Moreover, lack of clarity of the claims as a whole arises, since the plurality of independent claims makes it difficult, if not impossible, to determine the matter for which protection is sought, and places an undue burden on others seeking to establish the extent of the protection.

Hence, claims 1 and 6 do not meet the requirements of Article 6 PCT.

10. Claim 10 is not supported by the description. In the description a fabric care composition is disclosed which does not comprise surfactants and in the claim a laundry detergent composition is disclosed which comprises at least 0.01 wt.% surfactant. If the composition defined in claim 10 comprises a high amount of surfactant then the amount of fabric enhancing and transition metal-comprising dye protection polymers will be present in very low amounts and it is not certain if this low amount will achieve the desired effect (Article 6 PCT).